

1 DEBT BONDAGE AND CHATTEL SLAVERY IN EARLY ROME

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In his book *Ancient Slavery and Modern Ideology* (1980) Moses Finley argued that chattel slavery only started to become a major force in the Roman world after the official abolition of *nexum* in 326 BC (or 313 BC, as some would argue) had made it impossible to exploit the labour of Roman citizens.¹ In other words, the drying up of one source of exploited labour led to a more intensified pursuit of another pool. In reviews of Finley's book scholars occasionally questioned the validity of this argument, but no systematic investigation of the relationship between the abolition of *nexum* and chattel slavery in fourth-century Rome has been undertaken so far.² Finley's argument has in fact become the standard interpretation of the development of slavery in early Rome.³ In this chapter I shall try to do two things. Firstly, I shall argue that the abolition of *nexum* in 326 BC is misleading shorthand for a complex phenomenon on which we are very poorly informed.⁴ What can be established with some degree of certainty is that the Senate responded to the excesses accompanying *nexum* rather than establishing its concern with the procedure itself. Secondly, I shall re-examine the evidence supplied by the historian Livy (59 BC–AD 17) for the number of captives enslaved by the Romans during the Third Samnite War (298–290 BC), which formed the basis for Finley's argument that chattel slavery rose to a level unprecedented in Roman history, and demonstrate that the argument is difficult to substantiate.

The procedure for the treatment of debtors in early Rome can be reconstructed as follows. Upon the acknowledgement of a debt in front of a judge, or the failure to repay an outstanding debt within thirty days after the debtor was condemned in court, the creditor summoned the debtor before the praetor, the chief legal magistrate. He subsequently proclaimed the debtor's failure to pay and laid his hands on him (*manus iniectio*) for the outstanding amount by grasping a part of the debtor's body. The debtor was not allowed to remove the creditor's hand and had to rely upon a third individual to step forward in his defence. If no one did, the creditor was allowed to take him home and bind him with sinew or fetters weighing up to 15 lbs (16.8 kg). The debtor was kept in

these circumstances for sixty days. During this period the creditor had to appear before the praetor on three separate occasions and make a public announcement requesting for the debt to be settled. If after sixty days no one had stepped forward to release the debtor, the creditor was by law entitled to sell him across the Tiber or even put him to death.

Historians of Roman slavery translate *nexum* as debt bondage, but there are a number of unresolved problems with this definition, notably the lack of consensus among Roman legal historians as to what *nexum* was and at what stage of an individual's indebtedness it became operational. In his *De lingua Latina* (On the Latin Language; 7.105), the Roman polymath Varro (c. 116–27 BC) endorsed the view proposed by Mucius Scaevola which held that *nexum* was different from *mancipatio* ('the handing over of property to a new owner'; transfer of ownership). The *nexus*, the individual who was bound by *nexum*, did not become the full slave and property of the creditor, but entered into temporary bondage:

a free man who, for money which he owed, 'bound' (*nectebat*) his labour in slavery until he should pay, is called a *nexus*, just as a man is called *obaeratus*, 'indebted', from *aes*, 'debt'.⁵

Livy, the author of a history of Rome from its foundation to the death of Drusus (stepson of the first emperor Augustus) in 9 BC, refers to *nexum* as something that can be entered into (7.19.5: *nexumque inibant*), which suggests that it was a form of contractual obligation. *Nexi* were given the opportunity to pay off their debt through work, without diminishing their status as Roman citizens. It can be inferred from Livy (2.24.6) that *nexi* continued to serve as soldiers in the Roman army and they must also be assumed to have retained their right to vote.

Varro compared the *nexus* to the *obaeratus*, a noun derived from the word for 'debt' (*aes*; Varro, *De lingua Latina*, 7.105), perhaps because his readers were more familiar with that term. It is tempting to assume that the two terms are equivalent, but the evidence is not conclusive.⁶ Livy also uses two other terms which identify individuals burdened by debt: *iudicati* ('those who have been subjected to a ruling from a judge') and *addicti* ('those who have been handed over' to their creditors).⁷ I want to suggest that these were individuals in different stages of the process of indebtedness as described above. *Iudicatus*, then, is reserved for individuals who were given thirty days to settle their debt after a ruling by a judge. The *addicti*, in turn, were those individuals who had already been subjected to *manus iniectio* and were given sixty days before they were sold into slavery or executed. It must be assumed that, although perhaps not slaves in legal terms, the *addicti* were frequently treated as if they were slaves, as will become clear from the discussion below.⁸ It has been argued that the *nexi* entered into a voluntary agreement in order to avoid the extreme consequences of a judgement

for default, but this begs the question why such an agreement was not offered to the *addicti* and *iudicati*.⁹

Livy discusses the problems caused by debt and enslavement for debt in a series of episodes which he characterizes as crucial moments in the ongoing class struggle between the aristocratic patricians and the non-aristocratic plebeians. The first episode is set in 495 BC and tells the story of a veteran who had been a distinguished commanding officer in the wars with the Sabines (2.23.4–6), during which his crops, his cottage, his property, and his flocks were destroyed. In order to pay his taxes he was forced to borrow money and when he was unable to repay the loan, his farm was taken from him and eventually his creditor had him led away, not into slavery, but to prison and the office of the executioner: *non in servitium, sed in ergastulum et carnicinam duci* (2.23.6). He was able to escape from his prison and managed to attract the attention of a sizeable crowd. To illustrate the extent of his suffering he took off his clothes to display the recent signs of a severe flogging on his back (2.23.7).¹⁰ His story created uproar, and suddenly there appeared from all quarters other victims of the harsh law of debt, some of whom were in chains (*vincti*), and others not (*soluti*): *nexi vincti solutique se undique in publicum proripiunt* (2.23.5). This event eventually led to the decision of the plebeians to leave the city in the hope of putting pressure on the patricians to give in to their demand for political and economic reforms. Following long negotiations the plebeians agreed to return to the city after they had been allowed to elect two officials to act as their spokespersons.

Livy's story of the anonymous veteran makes clear that someone of his stature (a citizen and a former soldier), who defaulted on the repayment of a loan, expected to be led away into slavery (*servitium*) rather than be sent to prison and subsequently to the executioner's office, as was the *addictus*. By implication, *servitium* cannot be the same thing as the treatment that awaited the *addictus* after the sixty-day period had come to an end. The next issue concerns the composition of the *nexi* who appeared in the streets of Rome after the veteran's escape. As already mentioned, the translation states that some of them were in chains (*vincti*), while others were not (*soluti*). However, this interpretation is surely flawed, because it raises the question why, if all of them were *nexi*, should only some of them be enchained. Livy's words, however, could be taken to mean that two groups – those who were still in bondage (*vincti*), and those who had already been released from it (*soluti*) – responded to the veteran's speech, presumably to show their support.¹¹ The outrage the veteran's treatment produced surely demonstrates that *nexi* were not supposed to be kept in chains. The conclusion that the Roman people (and magistrates) were more upset by the fact that a veteran had been placed in an inferior category than by the suffering accompanying the practice of enslavement for debt seems unavoidable.

In Livy's account of domestic events in 385 BC the centre of attention was a centurion who had been condemned for debt (*iudicatum pecuniae*; 6.14.3–10). The politician M. Manlius Capitolinus, seeing the man being led away, delivered a rousing speech about the arrogance of the patricians, the inhumanity of the money-lenders and the sufferings of the common people.¹² Manlius made a successful emotional appeal by playing on the similar sounding words 'to save' (*servo*) and 'slavery' (*servitus*): 'tum vero ego' inquit 'nequiquam hac dextra Capitolium arcemque servaverim, si civem commilitonemque meum tamquam Gallis victoribus captum in servitutem ac vincula duci videam' (6.14.4–5: 'In that case was it all in vain', he cried, 'that I saved the Capitol and the Citadel with this right hand, when I watch my citizen and fellow-soldier being led away into servitude and chains, as if he were taken captive by the victorious Gauls?'). He paid the amount owed by the soldier to his creditor and freed the debtor (*liberatum emittit*). Manlius acted in the capacity of a *vindex*, a redeemer who stepped forward to settle a debt in the name of the debtor. Upon regaining his freedom the man explained that his financial difficulties were the result of the interest on his loan being so high that it swallowed up the principal (6.14.7). Manlius increased his popularity with the people even further by presenting for auction an estate of his in the region of Veii, stating that he would not own property while others were being dragged away into slavery.

A decade or so later Livy described the problems concerning debt as follows. The suffering of the common people had become even worse, because by then payment had been made compulsory and immediate. Livy's text states that 'since people in debt could no longer make compensation with their property' (*cum iam ex re nihil dari posset*), 'their reputation (*fama*) and body (*corpore*) were made over and assigned to their creditors by way of satisfaction'. It is not certain whether this means that debtors could no longer pay off their debts by selling their property or that people who were bankrupt were now immediately made into bondsmen.¹³ 'Penalty had taken the place of credit' (6.34.2: *poenaeque in vicem fidei cesserat*). As is illustrated by his choice of *fama* ('reputation') and *fides* ('credit', but also 'trust'),¹⁴ Livy's terminology is more rhetorical than legal, which may suggest that the original source for this account offered a highly emotional reconstruction of events. He also appears to have collapsed several developments together without explaining what exactly caused them. Significantly, Livy identifies the debtors as *iudicati atque addicti* (6.34.2) and not as *nexi*. The financial problems facing a large part of the population were so severe that it had repercussions in the political sphere: Livy concludes that the plebeians had lost all interest in contending with the patricians for political office (6.34.4). The stalemate was only resolved a couple of years later, when the Licinian-Sextian laws of 367/366 BC allowed rich plebeians access to the consulship, the highest political office, while they offered the poorest plebeians some relief from their financial

problems. Any interest already paid could be deducted from the original amount and the remainder discharged in three annual instalments of equal size (6.35.5).

The next important event occurred some four decades later – the abolition of *nexum* (8.28.1–9).¹⁵ According to Livy, this momentous event was set in motion by the way in which the money-lender Lucius Papirius treated a young man, Caius Publilius, who had been forced to hand himself over for a debt owed by his father.¹⁶ Papirius showed no sympathy (*misericordiam*) for Publilius's youth and beauty, but instead was driven to lust. He first tried to seduce the young man with lewd conversation (*incesto sermone*), then threatened him, but with no effect. Subsequently, Papirius had the young man stripped and scourged. After this ordeal, Publilius broke free, ran into the street and publicly declaimed Papirius. A crowd assembled and expressed their sympathy (*miseratione*) for Publilius and indignation because of his injuries. Livy stresses that the crowd 'was reminded of their own condition and that of their children' (*suae condicionis liberum suorum respectu*), which may be a reference to the fact that Publilius served as a *nexus* for a debt owed by his father and that the same thing could potentially happen to them and their children as well. They rushed to the meeting-hall of the Senate and requested the consuls to immediately summon the Senate. Once the Senate was in session, the people threw themselves at the feet of the senators and pointed to the young man's mutilated back. With no further delay the Senate ordered the consuls to introduce a proposal for the people's approval that only convicted criminals should be confined in shackles and prisons. A decision was also reached with regard to the repayment of loans. When a payment on a loan was not made on the agreed date the creditor could only lay claim to the debtor's property and not to his body. Finally, all individuals currently imprisoned were freed and in future it was forbidden to enter into *nexum* (*cautumque in posterum ne necterentur*; 8.28.9).¹⁷

Livy's account should not be taken as a true historical account of events leading to what is conventionally called the abolition of *nexum*. His history is a string of narratives illustrating the virtues and vices of the Romans against the backdrop of Rome's rise from shepherd settlement to world power. He frames his stories within a clearly defined interpretation of the past, which in this particular case is the struggle for political freedom by the common people. The episode of Publilius is represented as an event which reinforces the liberty of the Roman people, a clear reference to the freedom which the Romans had enjoyed since the establishment of the Republic in 509 BC, but which was still incomplete. Furthermore, Livy's history is replete with incidents that routinely involve sexual transgressions committed against usually young and female victims. Each incident leads to significant political and social changes. The story of Caius Publilius is a variant on this pattern only in the sense that the victim is a young man.

It is essential here to clarify the precise nature of the events of 326 BC, and for this we have to re-examine Livy's text in more detail:

Iussique consules ferre ad populum ne quis, nisi qui noxam meruisset, donec poenam lueret, in compedibus aut in nervo teneretur; pecuniae creditae bona debitoris, non corpus obnoxium esset. Ita nexi soluti, cautumque in posterum ne necterentur.

(the consuls were ordered to put in front of the people a proposal that no one should be kept in shackles or in prison, except those who had committed a crime, for the time during which they underwent punishment; and that for money lent the debtor's property, but not his person, should be distrainable. In this way the debt-slaves were released, and it was decreed that no one in future should become a *nexus*.)

Livy's text lists three separate regulations:

Only criminals are to be put in chains or in prison;

If a loan is not repaid the creditor can seize the debtor's property in order to compel payment of debts, but not his person;

All *nexi* are freed and in future no one should be able to become one.

Relying purely on a translation can confuse the interpretation of key events. One of the pivotal sentences in Livy's passage, that which introduces the history of Caius Publilius, is: *quod necti desierunt*, which the Loeb-edition translates as 'for men ceased to be imprisoned for debt', and the Penguin edition has as 'the abolition of enslavement for debt'. However, as in the case of the anonymous veteran described earlier, that of Caius Publilius does not concern *nexum* per se, but a situation whereby somebody who is repaying a debt is improperly reduced to the inferior category of debtor. Livy's readers were well aware that whipping was a criminal violation of citizenship that reduced Publilius to the status of a slave, the only people in Roman society answerable with their bodies for criminal offences. A re-examination is also required of Livy's report on the proposals submitted by the consuls to the people's assembly which ratified them as the *lex Poetelia*. How do these measures clarify our understanding of the practice of *nexum* given the two different categories of debt-bondsmen that possibly blurred for Livy whose chief concern was that one group was systematically reduced to the second? Assuming that Livy may have employed the terms in a non-technical sense, we must treat his use of *nexus* or *nectus* with extreme caution.

The first measure proposed by the Senate and accepted by the people's assembly stated that only criminals should be kept as prisoners, thus making it impossible for indebted individuals to be kept in their creditors' homes. This benefited only wrongly imprisoned *nexi* who under normal circumstances retained their status as Roman citizens while working off their debt. The other category of debtors who were kept in chains, the *addicti*, benefited from this measure only if proven not to be 'criminals'. However, the measure put an end to an excess rather than abolish a particular procedure. The third measure declared that all *nexi* be

released (*nexi soluti*) and decreed that in future no one should become a *nexus*. This suggests that the verbal agreement called *nexum* should no longer be entered into, but how is the state capable of making sure that this did not happen?

I have reserved for last discussion of the second measure, because it suggests that what happened in 326 BC was the abolition of *nexum*. Livy states the following in Latin: '*pecuniae creditae bona debitoris, non corpus, obnoxium esset*', which I translate as follows: 'The consuls were ordered to carry a proposal that "for a loan (*pecuniae creditae*) the property (*bona*) of the debtor (*debitoris*), not his body (*non corpus*), should be distrainable (*obnoxium*)."' This means that the creditor could seize the property of the debtor to compel him to pay back the money that was owed, but he could not take his body. Whatever the meaning of this claim, Livy's own history provides clear evidence that the practice of imprisoning citizens continued unabated, which suggests that the same could be argued for debt bondage.¹⁸ This appears confirmed by an event set in 216 BC, a century after the abolition of *nexum*. In the immediate aftermath of Rome's defeat against Hannibal at Cannae the dictator M. Iunius Pera issued a decree which promised exculpation and release from debt to individuals who were in prison for capital crimes or for not paying their debts, on condition that they agreed to serve in the army. Six thousand individuals answered the call and were given weapons that had been taken from the Gauls and displayed in the triumph of C. Flaminius of 223 BC (23.14.3–4). Livy labels the individuals who were kept in chains for not having repaid their debts *iudicati*, while Valerius Maximus calls them *addicti* (7.6.1).

Further evidence comes from Varro who refers to *obaerarii*, a term with a similar meaning to that of *addicti*. The supporters of Catiline, a renegade senator who attempted to overthrow the Roman government in 63 BC, consistently refer to debt and the cruelty of money-lenders as reasons for their willingness to join Catiline's movement.¹⁹ Columella, the writer of an agricultural manual during the reign of Nero, launches an attack on wealthy individuals who possess more estates than they can visit and either abandon them to be trampled by cattle and wild beasts 'or keep them under cultivation with citizens enslaved for debt and slave chain gangs (*aut occupatos nexu civium et ergastulis tenenti*)' (1.3.12).

The second part of Finley's argument maintains that in the years after the abolition of *nexum* in 326 BC chattel slavery increased dramatically. Rome was engaged in wars with the express objective, so Finley hints, to replenish one involuntary workforce with another. Finley viewed the labour demands of the Roman aristocracy as so extensive that they needed an alternative supply of compulsory labour to replace the debt-slaves. In order to substantiate his argument Finley points to the nearly 40,000 Samnite warriors which Rome acquired as captives between 298 and 290 BC, a figure which he labels in his own words 'as maybe not accurate, but also not complete'.²⁰ Finley took the figure of 40,000 from a work on mass enslavement in the Hellenistic-Roman world whose author

had collated it from references in Livy.²¹ The best way to show that this figure is unrealistically high is by drawing on research on the size of the late third-century Roman population undertaken by economic historians and demographers Elio Lo Cascio and Walter Scheidel. They independently assume that between 215 and 212 BC between 10 and 12 per cent of Rome's population served in the army. Scheidel estimates that in 215 BC Rome had a population of close to one million, comprising 690,000 women and children and 190,000 adult males.²² In the light of these assertions, the claim, based on Livy's account – that during the Third Samnite War some 100,000 Samnites died on the battlefield and a further 70,000 were enslaved – must be deemed an exaggeration. Finley, however, uncritically accepted the numbers. In the absence of similar figures for the period before 326 BC it is impossible to firmly establish whether an increase in the number of slaves had also taken place earlier. However, slaves may already have been plentiful some decades before the 'abolition of *nexum*'. In 357 BC one of the consuls proposed a law which introduced, for the first time in Roman history, a tax on the manumission of slaves. The senators decided on the measure in order to replenish the empty treasury (Livy; 7.16.7). Thus the introduction of the law presupposes that the slave population had reached a considerable size and that owners were manumitting their slaves at a high enough rate to replenish the state treasury.²³

Conclusion

The main purpose of this preliminary investigation has been to suggest that the abolition of *nexum* and Moses Finley's argument that its demise and the rise of chattel slavery in early Rome were connected merit re-examination. I have singled out two focal points which in my opinion are crucial for reassessing the relationship between debt bondage and chattel slavery, without entertaining the expectation that all the problems involving the procedure of *nexum* and its abolition have now been resolved. My first focus was the continuation of enslavement caused by debt in the period after 326 BC. It needs to be established in more detail whether the conditions for debt and slavery were the same or similar to those in place before 326, but for the moment it seems that there is enough evidence to make the claim that enslavement for debt did not disappear after 326. The continuing enslavement of citizens for debt makes it very difficult to entertain the idea that an important pool of involuntary labour had become completely dried up, necessitating the introduction of other forms of involuntary labour. I want to suggest that it is even more rewarding to re-examine the Samnite Wars in Roman history from the perspective of the rise of chattel slavery. For this argument Finley relied on the numbers of Samnites captured in war supplied by the historian Livy. However, the numbers must be deemed unrealistically high, especially when viewed against plausible reconstructions of the size of the Roman

population around the end of the third century, almost a century after the Samnite Wars. By that time Rome had 190,000 adult male citizens and perhaps a military potential of close to 100,000 soldiers. The numbers of Samnite soldiers that were enslaved (40,000, if those taken in sieges are counted; 70,000, if all the captives are added up) and those that were killed in battle (100,000), both culled from Livy, suggest that the Samnites were completely wiped out by the Romans. I am quite prepared to believe that chattel slaves became more important after 326, but that the scale on which this happened has been exaggerated. Finally, I think it is unnecessary to argue that chattel slavery replaced debt bondage to supply the labour demands of the Roman aristocracy. Chattel slavery was already important enough in 357 BC to justify the introduction of a tax on manumission as a means to replenish the empty Roman war-chest. This last item complicates the belief in an abrupt transition from debt bondage to chattel slavery.

E. Toledano, *The Ottoman Slave Trade and its Suppression, 1840–1890* (Princeton, NJ: Princeton University Press, 1982).

84. Toledano, *Slavery and Abolition in the Ottoman Middle East*, p. 15.
85. E. Toledano, *As if Silent and Absent: Bond of Enslavement in the Islamic Middle East* (New Haven, CT: Yale University Press, 2007), p. 257.

1 Kleijwegt, 'Debt Bondage and Chattel Slavery in Early Rome'

1. M. I. Finley, *Ancient Slavery and Modern Ideology* (London: Chatto & Windus, 1980), pp. 67–93, esp. pp. 82–5. Finley never addressed the question of the abolition of *nexum* and its consequences directly. According to him (pp. 86–7), the change in exploitation from an internal to an external supply of labour occurred in Athens as well as Rome, but because he felt that the evidence for Rome was unsatisfactory he decided to concentrate on Athens. For a critical reading of Finley's argument for Athens, cf. T. Rihll, 'The Origin and Establishment of Ancient Greek Slavery', in M. Bush (ed.), *Serfdom and Slavery: Studies in Legal Bondage* (New York: Longman Press, 1996), pp. 89–111; E. M. Harris, 'Did Solon Abolish Debt-Bondage?', *Classical Quarterly*, 52 (2002), pp. 415–30; also in E. M. Harris, *Democracy and the Rule of Law in Classical Athens: Essays on Law, Society, and Politics* (Cambridge and New York: Cambridge University Press, 2006), pp. 249–71. Harris distinguishes between enslavement for debt and debt bondage (pp. 415–6). In enslavement for debt the debtor becomes the slave of his creditor, while in debt bondage the debtor is given the opportunity to work off his debt. Unlike enslavement for debt, debt bondage is not a permanent condition; the debt bondsman is only in his condition until he has worked off his debt. Harris argues in his study that Solon only abolished enslavement for debt.
2. The criticism was expressed in E. Gabba, 'Il nuovo libro di M. Finley sulla schiavitù antica', *Athenaeum*, 60 (1982), pp. 276–81; H. W. Pleket, 'Slavernij in de Oudheid: voor voor oudhistorici en comparatisten', *Tijdschrift voor Geschiedenis*, 94 (1982), pp. 1–30.
3. Cf. S. P. Oakley, *A Commentary on Livy Books VI to X, vol. 2: Books VII and VIII* (New York and Oxford: Clarendon Press, 1998), pp. 690; J. Bodet, 'Slave Labour and Roman Society', in K. Bradley and P. Cartledge (eds), *The Cambridge World History of Slavery, volume 1: The Ancient Mediterranean World* (Cambridge: Cambridge University Press, 2011), pp. 311–37.
4. To start with the most obvious problem, it is uncertain in which year *nexum* was abolished. Livy discusses it among the events taking place in 326 BC, but in the narrative of Dionysius of Halicarnassus it is discussed after Rome's humiliating defeat at the hands of the Samnites in 321 BC. Varro (*On the Latin Language*, 7.105) states that Gaius Poetelius Libo Visulus who abolished *nexum* acted in his capacity as dictator, an office which he held in 313, but not in 326 BC.
5. For the problems raised by the passage, cf. M. Salvatore, 'Varrone in tema di *nexum*', *Annali di Facoltà di Lettere e Filosofia di Bari*, 31 (1988), pp. 115–33. For the other view, endorsed by Manilius, cf. M. Bretonne, 'Manilio e il *nexum*', *Iura*, 32 (1981), pp. 143–6; S. Tondo, 'Il *nexum* e Manilio', *Iura*, 32 (1982), pp. 116–21. I have followed the argument of A. Watson, *Rome of the XII Tables: Persons and Property* (Princeton, NJ: Princeton University Press, 1975), pp. 111–4.
6. D. B. Hollander, *Money in the Late Roman Republic* (Leiden: Brill Academic Publishers, 2007), pp. 73–4 suggests that *obaeratus* was used to identify a debt-slave in early Rome, cf. Cicero, *On the Republic*, 2.38, who claims that the *obaerati* were freed by Servius Tullius,

a legendary king of the sixth century BC, who was believed to have been a slave himself. In the first century BC the term *obaeratus* is used without the connotation of enslavement.

7. Livy uses both *addictus* and *iudicatus* to describe ordinary members of the plebs and their leaders who were in debt during the crisis preceding the introduction of the Licinian-Sextian laws (6.34.2; 377 BC), while *iudicatus pecuniae* is reserved for the centurion at 6.14.3 (dated to 385 BC). Livy uses those terms before his discussion of the abolition of *nexum* (3.56.8: *in servitutem addixisset*).
8. Quintilian, the writer of a handbook on public speaking in the late first century AD, states that there is a difference between being a slave and being in servitude (5.10.60: *ut aliud est servum esse, aliud servire*). When a slave is manumitted he becomes a freedman, while an *addictus* does not, meaning that the latter would recover his citizenship rights. I am inclined to believe that Quintilian has mixed up the position of the *addictus* with that of the *nexus*.
9. T. J. Cornell, 'The Recovery of Rome', in F. W. Walbank, A. E. Astin, M. W. Frederiksen and R. M. Ogilvie (eds), *The Cambridge Ancient History, vol. VII, part 2: The Rise of Rome to 220 B.C.* (Cambridge: Cambridge University Press, 1989), pp. 309–51, on p. 330.
10. These marks of dishonor provide a striking contrast with the scars of the injuries on his chest incurred during his military career, cf. 2.23.4–5.
11. It is of course true that some of the people running out into the street were, literally, chained, for they displayed their chains to the other members of the public (2.23.10). The second group consists of former *nexi*: cf. Livy's reference to *nexi soluti* in his discussion of the abolition of *nexum* in 8.28.8.
12. For the similarities and the differences between this episode and the one involving the anonymous veteran, cf. C. S. Kraus (ed.), *Livy: ab urbe condita, book VI* (Cambridge and New York: Cambridge University Press, 1994), 171.
13. Kraus, *Ab urbe condita, book VI*, p. 270 argues that debt bondage had become automatic.
14. S. P. Oakley (ed.), *A Commentary on Livy, Books VI–X, volume 1: Introduction and Book VI* (Oxford and New York: Oxford University Press, 1997), pp. 500–1 argues that bankruptcy could lead to loss of esteem. For the play on *fides* as credit and trust, cf. Kraus, *Ab urbe condita, book VI*, p. 270.
15. Livy introduces the story as follows: 'In that year the liberty of the Roman people had as it were a new beginning.' This is a clear reference to the freedom which the Roman people had been enjoying since the establishment of the Republic in 509 BC. Livy's introduction suggests that the events which he is about to describe are of an epoch-making magnitude in an ongoing struggle for freedom.
16. Valerius Maximus (*Memorable Deeds and Sayings*, 6.1.9), a compiler of historical anecdotes who lived in the first part of the first century AD, and Dionysius of Halicarnassus (*Roman Antiquities*, 16.5.1–3), a Greek historian who lived and worked in Rome in the final decades of the first century BC, have the same story-line, but the names of the individuals involved are different. Cicero (*On the Republic*, 2.59) has a story about a young man and a money-lender, but both remain anonymous and the general context suggests that Cicero had very little understanding of the events.
17. Livy does not indicate what happened to Lucius Papirius. In Dionysius's version of the story the creditor is named Caius Laetorius Mergus and he is indicted, condemned, and put to death.
18. The same conclusion is drawn by J.-U. Krause, *Gefängnisse im Römischen Reich* (Stuttgart: Steiner, 1996), p. 153.

19. P. Garnsey, 'Non-Slave Labour in the Roman World', in P. Garnsey (ed.), *Non-Slave Labour in the Greco-Roman World* (Cambridge: Cambridge University Press, 1980), p. 36 stresses that chattel slavery and debt bondage co-existed. For the *obaerarii*, cf. E. L. Cascio, 'Obaerarii (*obaerati*). La nozione della dipendenza in Varrone', *Index*, 11 (1982), pp. 265–84.
20. Finley, *Ancient Slavery and Modern Ideology*, p. 83. By observing that the figure of 40,000 may have been incomplete, Finley is suggesting that the actual total numbers may have been even higher. He calls the number 'maybe not accurate', because ancient writers are notoriously unreliable when they supply numbers.
21. H. Volkmann, *Die Massenversklavungen der Einwohner eroberter Städte in der hellenistisch-römischen Zeit*, ed. G. Horsmann, 2nd edn (Wiesbaden: Akademie der Wissenschaften und der Literatur, 1990), pp. 113–4. Volkmann's figure of 40,000 is the number of soldiers taken captive in sieges. If all the captives of war are added up, the figure is just under 70,000, while more than 100,000 Samnites were killed.
22. E. L. Cascio, 'Recruitment and the Size of the Roman Population from the Third to the First Century BCE', in W. Scheidel (ed.), *Debating Roman Demography* (Leiden: Brill Academic Publishers, 2001), pp. 111–37. W. Scheidel, 'Roman Population Size: the Logic of the Debate', in L. de Ligt and S. Northwood (eds), *People, Land, and Politics: Demographic Developments and the Transformation of Roman Italy, 300 BC–AD 14* (Leiden: Brill Academic Publishers, 2008), pp. 17–70, on p. 38.
23. The tax was named the *vicesima libertatis* and it was levied at 5 per cent of the value of the slave; value was established on the basis of the original purchase price, cf. K. R. Bradley, *Slaves and Masters in the Roman Empire: A Study in Social Control* (Brussels: Revue d'Études Latines, 1984), pp. 149–50. K. Bradley, 'Slavery in the Roman Republic', in K. Bradley and P. Cartledge (eds), *The Cambridge World History of Slavery, volume 1: The Ancient Mediterranean World* (Cambridge: Cambridge University Press, 2011), p. 245: 'The establishment of the manumission tax recognised the structural presence of slavery in Roman society'. Finley is aware of the manumission tax, but appears to misunderstand the implications of its introduction in 357 BC for his own argument (*Ancient Slavery and Modern Ideology*, p. 83).

2 Stanziani, 'Slavery, Debt and Bondage: The Mediterranean and the Eurasia Connection from the Fifteenth to the Eighteenth Century'

1. Some references from a huge bibliography include: C. Meillassoux, *Anthropologie de l'esclavage* (Paris: PUF, 1986); M. Finley, *Esclavage moderne et idéologie antique* (Paris: Editions de minuit, 1981); S. Meier and I. Kopytoff (eds), *Slavery in Africa: Historical and Anthropological Perspectives* (Madison, WI: University of Wisconsin Press, 1977); E. Williams, *Capitalism and Slavery* (Chapel Hill, NC: University Of North Carolina Press), p. 1944; M. Bush (ed.), *Serfdom and Slavery* (Longman: New York and London, 1996); S. Engerman (ed.), *Terms of Labour: Slavery, Freedom and Free Labour* (Stanford, CA: University Of California Press, 1999); O. Patterson, *Slavery and Social Death: a Comparative Study* (Cambridge: Cambridge University Press, 1982); P. Lovejoy, *Transformations in Slavery: A History of Slavery in Africa* (Cambridge: Cambridge University Press, 1983). On the translation of Islamic institutions with slavery: E. Toledano, *Slavery and Abolition in the Ottoman Middle East* (Seattle, WA and London: University of

- Washington Press, 1998). M. Klein, *Breaking the Chains. Slavery, Bondage and Emancipation in Modern Africa and Asia* (Madison, WI: University of Wisconsin Press, 1993).
2. J. Heers, *Esclaves et domestiques au Moyen Age dans le monde méditerranéen* (Paris: Hachette, 1996), p. 67; C. Verlinden, 'L'origine de sclavus=esclave', *Bulletin du Cange*, 17 (1942), pp. 97–128; C. Verlinden, 'L'esclavage du sud-est et de l'est européen en Europe orientale à la fin du moyen-âge', *Revue historique du sud-est européen*, 19 (1942), pp. 18–29; C. Verlinden, *L'esclavage dans l'Europe médiévale* (Bruges: De Tempel, 1955); S. Epstein, *Speaking of Slavery* (Ithaca, NY; London: Cornell University Press, 2001).
3. R. Hellie, *Slavery in Russia, 1450–1725* (Chicago, IL: Chicago University Press, 1982).
4. H. Inalcik, *Sources and Studies on the Ottoman Black Sea. The Custom Register of Caffa, 1487–1990* (Cambridge: Cambridge University Press, 1996).
5. P. Perdue, *China Marches West. The Qing Conquest of Central Eurasia* (Harvard, MA: Belknap Press, 2005); M. Khodarkovsky, *Russia's Steppe Frontier. The Making of a Colonial Empire, 1500–1800* (Bloomington, IN: Indiana University Press, 2002); T. J. Barfield, *The Nomadic Alternative* (Englewood Cliffs, NJ: Prentice-Hall, 1993); N. di Cosmo, 'Ancient Inner Asian Nomads: Their Economic Basis and its Significance in Chinese History', *Journal of Asian Studies*, 53 (1993), pp. 1092–126, and 'State Formation and Periodization in Inner Asian History', *Journal of World History*, 10 (1999), pp. 1–40; D. Christian, *A History of Russia, Central Asia and Mongolia* (London: Blackwell, 1998); S. A. M. Adshead, *Central Asia in World History* (New York: St Martin's Press, 1993); A. G. Frank, *The Centrality of Central Asia* (Amsterdam: VU University Press, 1992); G. Seaman and D. Marks (eds), *Rulers from the Steppe: State Formation on the Eurasian Periphery* (Los Angeles, CA: Ethnographics Press, 1991).
6. At the same time, as we will see, even in Perdue's case, the problem is that the exclusive accent put on Russian and Chinese sources leads to the underestimation of the importance of the Safavid and Persian power in the area. This constitutes a major distortion of current historiography, mostly due, on the one hand, to the over-attention devoted to China and, on the other hand, to the quasi-disappearance of specialists of ancient Safavides and Persian powers (and languages).
7. Inalcik, *The Custom Register of Caffa*.
8. Massaria Caffae, 1374, ASG, fol. 1–354. See G. Bratianu, *Actes des notaires genois de Pira et de Caffa de la fin du XIIIe siècle (1281–1290)* (Bucharest: Académie Roumaine, 1927); M. Balard, *Gênes et L'Ouest-Mer, I: Les Actes de Caffa du notaire Lamberto di Sambuceto 1289–1290* (Paris; The Hague: Mouton, 1973). For later testimony see G. Balbi, 'Atti rogati a Caffa da Nicolo Beltrame (1343–44)', in G. Balbi and S. Raiteri, *Notai genovesi in Oltremare: Atti rogati a Caffa e a Licostomo (sec. XIV)* (Genova: Istituto internazionale di studi liguri, 1973), and M. Maowist, *Kaffa-Kolonia genuerska na Krymie i problem wschodu w latach 1453–1475* (Warsaw: Prace Instytutu historycznego Uniwersytetu Warszawskiego, 1947).
9. G. Pitarino, *Notai genovesi in Oltremare: Atti rogati a Chilia da Antonio di Ponzio (1362–69)* (Genova: Istituto internazionale di studi liguri, 1971).
10. J. Heers, *Esclaves et domestiques au Moyen Age*, p. 67; Verlinden, 'L'origine de sclavus=esclave', pp. 97–128; Verlinden, 'L'esclavage du sud-est et de l'est européen en Europe orientale', pp. 18–29; Verlinden, *L'esclavage dans l'Europe médiévale*; Epstein, *Speaking of Slavery*.
11. H. Van der Wee, 'Structural Changes in European Long-distance Trade, and Particularly in the Re-export Trade from South to the North, 1350–1750', in J. Tracy (ed.), *The*